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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,940	09/19/2003	John Burgess	644-033	7083

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Ward & Olivo
708 Third Avenue
New York, NY 10017

EXAMINER
RAO, ANAND SHASHIKANT

ART UNIT 2621	PAPER NUMBER
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DATE MAILED: 05/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/666,940

Applicant(s)

BURGESS ET AL.

Examiner

Andy S. Rao

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/22/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

1. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Ullman et al., (hereinafter referred to as "Ullman").

Ullman discloses a method for transmitting video signals via a video transmitting system (Ullman: figure 3) comprising the steps of: receiving said video signals from a non-networked video origination device (Ullman: column 4, lines 55-60; column 5, lines 20-30); transmitting said video signals to one or more video receiving devices via a network (Ullman: column 12, lines 1-34); and wherein said video origination device does not require hardware or software modifications to be compatible with said video transmission system (Ullman: column 9, lines 40-65: video receiving devices have all the software/hardware modifications for compatibility), as in claim 1.

Regarding claim 2, Ullman discloses wherein said video receiving device is selected from the group consisting of a standalone computer, a networked computer, a standalone device having a processor, a networked device having a processor, a video transmission system, and said video transmission networked client device of said a non-networked client device system (Ullman: column 5, lines 30-45; column 7, lines 50-67; column 9, lines 35-60), as in the claim.

Regarding claim 3, Ullman discloses wherein said network is the group consisting of the Internet, a local a wide area network, and a wireless network area network (Ullman: column 12, lines 1-25), as in the claim.

Regarding claim 4, Ullman discloses wherein the operating systems of said video origination device and said video receiving devices comprises more than one type of operating system (Ullman: column 5, lines 30-35), as in the claim.

Regarding claim 5, Ullman discloses comprising the authenticating the identity of said video receiving device (Ullman: column 6, lines 10-15); and authorizing said video receiving device to receive said video signals (Ullman: column 6, lines 15-22), as in the claim.

Regarding claim 6, Ullman discloses displaying said video signals on a video display unit coupled to said video receiving device (Ullman: column 5, lines 30-45), as in the claim.

Regarding claim 7, Ullman discloses converting said video signals from analog to digital (Ullman: column 9, lines 25-31), as in the claim.

Regarding claim 8, Ullman discloses the step of filtering said video signals (Ullman: column 7, lines 23-26), as in the claim.

Regarding claim 9, Ullman discloses compressing said video signals (Ullman: column 9, lines 55-60), as in the claim.

Regarding claim 10, Ullman discloses the step of decompressing said video signals (Ullman: column 9, lines 60-65), as in the claim.

Regarding claim 11, Ullman discloses the step of recording said video signals, wherein said recorded video signals may be played back subsequent to said recording (Ullman: column 9, lines 25-30), as in the claim.

Regarding claim 12, Ullman discloses wherein the method comprises one of the group consisting of broadcasting and multicasting (Ullman: column 5, lines 25-30; column 7, lines 55-60), as in the claim.

Ullman discloses a method for transmitting video signals via a video transmitting system (Ullman: figure 3) comprising the steps of: receiving said video signals from a non-networked video origination device (Ullman: column 4, lines 55-60; column 5, lines 20-30); transmitting

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said video to at least one non-networked video receiving device (Ullman: column 12, lines 1-34); and transmitting said video signals to at least one networked video receiving device (Ullman: column 12, lines 1-10), as in claim 13.

Regarding claim 14, Ullman discloses wherein said video origination device does not require hardware or software modifications to be compatible with said video transmission system (Ullman: column 9, lines 40-65: video receiving devices have all the software/hardware modifications for compatibility), as in claim 14.

Regarding claim 15, Ullman discloses wherein said video receiving device is selected from the group consisting of a standalone computer, a networked computer, a standalone device having a processor, a networked device having a processor, a video transmission system, and said video transmission networked client device of said a non-networked client device system (Ullman: column 5, lines 30-45; column 7, lines 50-67; column 9, lines 35-60), as in the claim.

Regarding claim 16, Ullman discloses wherein said network is the group consisting of the Internet, a local a wide area network, and a wireless network area network (Ullman: column 12, lines 1-25), as in the claim.

Regarding claim 17, Ullman discloses displaying said video signals on a video display unit coupled to said video receiving device (Ullman: column 5, lines 30-45), as in the claim.

Regarding claim 18, Ullman discloses converting said video signals from analog to digital (Ullman: column 9, lines 25-31), as in the claim.

Regarding claim 19, Ullman discloses the step of filtering said video signals (Ullman: column 7, lines 23-26), as in the claim.

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Regarding claim 20, Ullman discloses compressing said video signals (Ullman: column 9, lines 55-60), as in the claim.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Reynolds discloses a system and method for communication of media signals.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy S. Rao whose telephone number is (571)-272-7337. The examiner can normally be reached on Monday-Friday 8 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571)-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Andy S. Rao
Primary Examiner
Art Unit 2621

ANDY RAO
PRIMARY EXAMINER



asr
May 19, 2006